

Before the  
Federal Communications Commission  
Washington, DC

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In Re:

Jerry Szoka,  
Cleveland, Ohio

CIB Docket No. 98-48

Order to Show Cause Why a Cease  
and Desist Order Should Not Issue

To: Joseph Chachkin  
Chief Administrative Law Judge

Jerry Szoka's Motion for a Brief Extension of Time to File Opposition to CIB's  
Motion for Summary Decision

Respondent Jerry Szoka (Szoka) hereby moves, pursuant to 47 C.F.R. §§  
1.46(c) and 1.243(I), for a brief extension of time to file his opposition to CIB's  
Motion for Summary Decision.

CIB filed its motion on June 10. Szoka, who is of modest means, secured  
the pro bono assistance of the Center for Individual Rights (CIR), a Washington-  
based public interest law firm, on June 18. The undersigned agreed to cooperate  
with CIR in this representation because of the specialized nature of these  
proceedings.

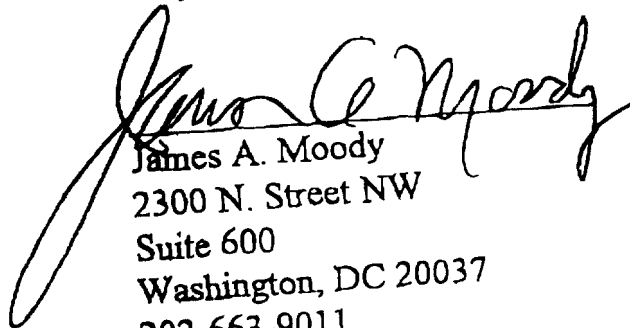
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It has taken somewhat longer than expected to become familiar with the facts and legal issues at stake in this proceeding, as Mr. Szoka has not had the assistance of counsel prior to this point. Moreover, a number of recent legal developments must be analyzed for their potential impact on this case, e.g., the pending rulemaking on microbroadcasting, RM Docket 9242, and the recent decision in *US v. Dunifer*, 997 F. Supp. 1235 (N.D. Cal., June 16, 1998). These matters, together with an extremely busy schedule, and the need of the undersigned to plan and attend a memorial service in Kansas City for his mother on July 25, form the basis for this brief extension of time.

Pursuant to § 1.46(c), the undersigned has notified counsel for CIB, R. Riley Hollingsworth, of this request. Accordingly, Szoka asks that the filing date for his opposition be extended from July 24 to July 28.

Respectfully submitted,



James A. Moody  
2300 N. Street NW  
Suite 600  
Washington, DC 20037  
202-663-9011

July 24, 1998

Certificate of Service

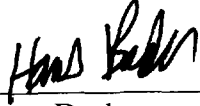
I hereby certify that I have hand-delivered copies of this Motion for a Brief Extension of Time to File Opposition to CIB's Motion for Summary Decision to the following persons this 24<sup>th</sup> day of July, 1998.

Jacqueline Ellington, Esq.  
Federal Communications Commission  
2025 M. Street N.W., Rm. 8210  
Washington, DC 20554

Chief ALJ Joseph Chachkin  
Federal Communications Commission  
2000 L-2025 M. Street N.W.  
Washington, DC 20554

I also mailed the foregoing paper by first-class mail postage prepaid to the following person:

R. Riley Hollingsworth, Esq.  
Federal Communications Commission  
1270 Fairfield Rd.  
Gettysburg, PA 17325-7245

  
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Hans Bader